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CRL OP No. 17517 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17517 of 2025

1. N.Arun Kumar
2. Latha Natarajan
3. Suresh Kumar
4. Thangam Palanisamy
5. Chitra

Petitioners

Vs

The State, Represented by, The Inspector of
Police,
All Womens Police Station, Pothanur,
Coimbatore. Crime No. Not known of 2025.
Offences: u/s. 85 & 316 of BNS (498A and
405 of IPC.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners on bail in the event
of his arrest in the above Crime Number Not Known case by the Respondents in
the above alleged offence and thus render Justice.

For Petitioners: Mr.M Samuel Raja

For Respondent(s): M/s.V. Meganathan Ga (crl.side)



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ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 85 and 316 of BNS (498A and 405 of IPC), in Crime No. Not known of 2025, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, she got married with the 1st petitioner and due to difference of opinion between them and conduct of the 1st petitioner, the defacto complainant has been ill-treated by the 1st petitioner and his family members, thereby committed cruelty on her and further left the defacto complainant in her parent's home. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent persons and have not committed any offence and falsely implicated in this case. He further submitted that due to matrimonial dispute between the 1st petitioner and the defacto complainant, a false complaint has been lodged by the defacto complainant. He would submit that the defacto



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complainant filed a counter-complaint in D.V.A.No.183/2022 and also sought maintenance in M.C.No.194/2022. The present complaint is yet another act of vengeance to falsely implicate the petitioners and malign their reputation. He also submitted that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent submitted that though no crime number is mentioned by the petitioners, a case in crime No.180 of 2025 has been registered by the respondent police against the petitioners for the offences under Sections 85 and 316 of BNSS. Therefore, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

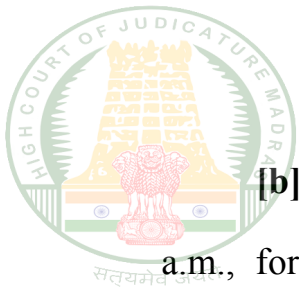


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6. Considering the nature of allegation and custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before **the District Munsif cum Judicial Magistrate, Madukkarai, Coimbatore**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

03-07-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To
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1. The State, Represented by,
The Inspector of Police,
All Womens Police Station, Pothanur,
Coimbatore. Crime No. Not Known of
2025.
2. The District Munsif cum Judicial
Magistrate, Madukkarai, Coimbatore.
3. The public prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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